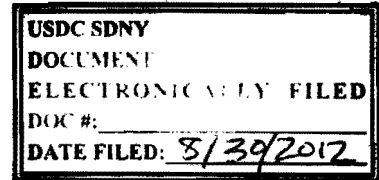


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
UNITED STATES

-v-

LEONIDES SIERRA et al.,

Defendants.
-----X

11 Cr. 1032 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

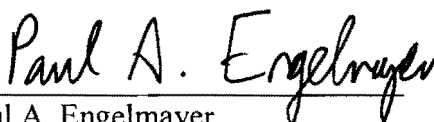
On August 24, 2012, the Court issued an Order instructing lead counsel for each defendant, by August 31, 2012, to submit a declaration or affidavit, stating whether the declarant or affiant provided a copy of the Preliminary Enterprise Letter, submitted by the Government on August 1, 2012, to anyone other than a designated person, or whether a designated person provided a copy of the Preliminary Enterprise Letter to anyone other than a designated person. Following its Order, the Court has received numerous such declarations and affidavits from defense counsel. The Court appreciates defense counsels' prompt submissions. To the extent counsel have not responded to the Court's Order, responsive declarations or affidavits remain due August 31, 2012.

On August 30, 2012, the Court received a letter pursuant to its August 24 Order from Harvey Fishbein, Esq., representing a paralegal working under the direction of Irving Cohen, Esq., counsel for defendant Felix Lopez-Cabrera. Mr. Fishbein's letter represented that the paralegal, "unbeknownst to Mr. Cohen . . . provided a copy of the preliminary enterprise letter submitted by the Government on August 1, 2012 to Mr. Lopez-Cabrera for a brief period of

time.” On behalf of his client, Mr. Fishbein apologized to the Court and the Government and stated that he “awaits further direction.”

Counsel for the Government, and also Mr. Cohen as counsel for Mr. Lopez-Cabrera, are each directed to submit, by 5:00 p.m. on Wednesday, September 5, 2012, a letter to the Court proposing what action, if any, the Court should take in response to this violation of the July 30, 2012 protective order. Counsel for other defendants may, but are not required to, submit letters by that date addressing the same subject.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: August 30, 2012
New York, New York